

Public Assistance Program Process – Sequence of Events

AN INCIDENT OCCURS.

CITY/TOWN/POLITICAL SUBDIVISION RESPONSE

Primary responsibility for response and recovery to an emergency rests with local government agencies. When a community has responded and recovery is within their local resources, the process stops.

When local resources are overwhelmed by the magnitude of damage, the community first turns to the county for assistance. Within 24 hours of the disaster, it is the responsibility of the affected local jurisdiction to compile a damage assessment and complete the Incident Information Questionnaire. Copies of the completed forms are to be submitted to the next highest jurisdiction. These forms are intended to be an overview estimation of areas within the local jurisdiction(s) that have immediate needs and are to be surveyed to determine the extent of damage.

Local jurisdictions should maintain an up-to-date list of critical facilities which includes AIRPORTS, SCHOOLS, HOSPITALS, SEWAGE AND WATER TREATMENT FACILITIES, NURSING HOMES, BRIDGES, and DAMS. These facilities may be contacted to identify the degree of damage sustained by them, if any. They may maintain lists of additional special facility types such as recreational facilities and senior centers.

If assistance is required, the local political subdivision should submit the following items to the county along with their request:

- An Emergency Resolution
- A completed Incident Information Questionnaire
- A completed Preliminary Damage Assessment
- A copy of jurisdiction's current budget

A.A.C. R8-2-304B : A political subdivision other than a county shall submit an emergency resolution to the county and request that, if necessary, the county issue an emergency resolution and make application to the Director. If the county fails to issue an emergency resolution expeditiously, a political subdivision may apply directly to the Director for assistance.

COUNTY RESPONSE

When a county has responded and recovery is within their resources, the process stops.

If they are overwhelmed by the magnitude of the damage, the county may request assistance from the state. At this point, the County Emergency Manager should contact cities and towns within the county to determine if they require additional assistance.

If the county wishes to request assistance from the state, a county emergency resolution needs to be completed and include the cause, location and date(s) of the incident, describe the damage caused by the incident and why the incident is above and beyond their capability to sufficiently respond and/or recover.

The County Emergency Resolution is supported by a current damage assessment, a completed information questionnaire (for each affected locality) as well as an overall damage summary. These items will be submitted to the Director of the Arizona Division of Emergency Management (ADEM) along with an application for state assistance.

Within 24 hours of the disaster, it is the responsibility of the affected local jurisdiction emergency manager(s) to compile a damage assessment and complete the Incident Information Questionnaire. Copies of the form are to be submitted to the next highest jurisdiction.

When seeking assistance from the state, the county will need to complete and submit the following:

- Application for State Assistance
- Emergency Management Director's Checklist for affected Cities & Towns
- Emergency Resolution(s)
- Preliminary Damage Assessment (summary and site forms)
- ADEM Incident Information Questionnaire for each affected locality
- PDA Checklist for each local jurisdiction as well as the county
- Copies of each jurisdiction's current budget (including the county's)

*If the county does not wish to issue an emergency resolution and request assistance of the state, a political subdivision may apply directly to the Director of the Division of Emergency Management for assistance.

A.A.C. R8-2-304.D : The Director shall reject an application that is not received within 15 days from the start of the emergency unless the political subdivision shows good cause for the delay or that the emergency is of a type that the date the emergency started is difficult to establish.

APPLICATION FOR STATE ASSISTANCE

When the county has completed the information questionnaire, damage assessment and county emergency resolution, an application for state assistance must be prepared and sent (with supporting documentation) to the Director of the Arizona Division of Emergency Management (ADEM). After reviewing this information, the Director will make a recommendation to the Governor whether to issue a declaration of a state of emergency.

Guidelines for allocation of funds for any single contingency or emergency/disaster may include:

- While awaiting a "State of Emergency" proclamation by the Governor, the Adjutant General may incur obligations of \$20,000 or less for response and recovery activities (A.R.S. §26-303.H.2).
- The Governor, may through the declaration process, allocate up to \$200,000 toward state response and/or recovery activities associated with any single emergency, disaster or terrorist incident (A.R.S. §35-192.F.2.).
- Incurring liabilities in excess of \$200,000 for any single incident shall not be made without the consent of a majority of the members of the State Emergency Council (A.R.S. §35-192.F.2).
- The aggregate amount of all liabilities incurred shall not exceed four million dollars during any state government fiscal year beginning July 1 and ending June 30 (A.R.S. §35-192.F.2).

*If an incident involves a state agency only, that agency shall submit an application directly to the Director of ADEM.

The Governor can amend an emergency declaration at a later date if circumstances due to the event declared demonstrate further impact to areas on the state not included in the initial declaration. Amendments can also be made to close the incident period for the event or to direct and authorize the use of additional state assets.

If the recovery effort is beyond the state's capability, the Governor may request that the President declare a "Major Disaster" or an "Emergency". The request must come from the Governor or acting Governor and satisfy the provisions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law (PL) 100-707, signed into law November 23, 1988; amended the Disaster Relief Act of 1974, PL 93-288, The Stafford Act.

Major Disaster is defined as "any natural catastrophe (including hurricane, tornado, landslide, mudslide, snowstorm, or drought) or regardless of cause, any fire, flood or explosion in any part of the United States which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act to supplement the efforts and available resources of States, local governments and disaster relief organizations in alleviating the damage, loss, hardship or suffering caused thereby." (44 CFR §206.2.a.17)

An **Emergency** is defined as "any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property

and public health and safety or to lessen or avert the threat of a catastrophe in any part of the United States. (44 CFR §206.2.a.9)

STATE RESOURCES OVERWHELMED

When a catastrophic incident occurs in which state and local emergency resources are totally committed, the Governor will determine if additional resources are needed.

The basis for this shall be:

1. The situation is of such severity and magnitude that effective response is beyond the capabilities of the state and affected local governments; and
2. Federal assistance is necessary to supplement the efforts and available resources of the state and local governments, disaster relief organizations and compensation by insurance for disaster-related losses.

The Governor may limit the request for assistance or may seek the full range of assistance authorized under the type of declaration being requested. The Governor's request is addressed to the President and submitted through the appropriate FEMA Regional Director. The FEMA Regional Director reviews and validates the request and it is forwarded to FEMA Headquarters in Washington for their review. For the Public Assistance Program FEMA evaluates several factors:

1. ***Estimated Cost of Assistance:*** The cost of Federal and non-federal assistance is estimated against the statewide population per capita impact of the disaster damage. The per capita figure is adjusted annually based on the Consumer Price Index for all Urban Consumers. Arizona's state-wide per capita impact indicator is \$1.24 for all disasters declared on or after October 1, 2007.
2. ***Insurance Coverage in Force:*** The amount of insurance that is in force or should have been in force as required by law and/or regulation is deducted from the amount anticipated from the disaster.
3. ***Hazard Mitigation:*** Consideration of past mitigation measures that have reduced damages from disasters could be especially significant.
4. ***Recent Multiple Disasters:*** Disaster declarations within the past 12 months will be considered, including disasters under the Stafford Act and State Disasters, to determine the extent to which the state has spent its own funds.

Upon completion of the review by the appropriate FEMA Regional Office, the request will be forwarded to the White House for the President's signature.

The FEMA Director, or his/her designee, will promptly notify the Governor that the President has issued a declaration of emergency or major disaster. FEMA will also notify other Federal agencies and interested parties.

Following the Preliminary Damage Assessments and after the Governor and/or President have declared an emergency for the disaster incident, these are the next steps in the Public Assistance Process:

Applicant's Briefing

An applicants' briefing is a meeting conducted by a representative of the State for all potential applicants for public assistance grants. The briefing occurs after the Governor has declared an emergency and/or following an emergency or major disaster declaration from the President. Application procedures, administrative requirements, funding and program eligibility criteria are only some of the items that will be addressed during an applicants' briefing.

Submission of Request for Public Assistance

Each eligible applicant impacted by a declared disaster must complete a Request for Public Assistance Form within 30 days of the declaration in order to be considered eligible under the public assistance program for the declared event.

Kickoff Meeting

The kickoff meeting allows the applicant and the PAC to become acquainted and affords the PAC the opportunity to provide the applicant with information necessary to start the Public Assistance process.

At this meeting, the applicant's individual needs are assessed, damages discussed and a plan of action to repair the damaged facilities put in place. The PAC will discuss with the applicant what will be expected and provide detailed instructions on what the applicant needs to do.

The applicant has the opportunity to have any questions or concerns answered about how the Public Assistance process works and his/her role in it. The PAC explains procedures for determining eligibility, project formulation, cost estimating and validation. The PAC also explains to the applicant Special Consideration review and the appeal and audit processes. The PAC reviews the applicant's prepared list of damages to help the applicant determine what technical assistance may be needed. They also discuss the documentation and reporting requirements.

Project Worksheets

The Project Worksheet (PW) is the most important tool used in the recovery process. Project Worksheets are developed for each damage location and

are jointly prepared by the Applicant and the ADEM Public Assistance Coordinator. The PW is used to record the following information:

- Identifying the damaged facility:
 - Name of the facility
 - Location – physical address, mile marker, crossroads or intersection
 - Latitude/Longitude
 - Map
- Define Category of Work
- Pre-disaster description of the facility and its condition;
- Damage description and dimensions which details the impact to the facility as a result of the event;
- The scope of eligible work for the project, including dimensions and a detailed description of the proposed repair;
- Special considerations associated with the project, such as insurance and hazard mitigation;
- Estimated or actual costs necessary to complete the work.

Final Inspection

Field inspection of each project site will be conducted. Determination will be made to ensure the work performed and cost claimed are within the PW scope of approved work and completed within the approved time limits. The applicant is responsible for furnishing appropriate documentation to the inspector. The documentation provided will be reviewed and certified that the claimed costs for each approved project are within the Scope of Work described on the PW.

Audit

Public Assistance Program grant recipients (State, local governments, non-profit organizations, universities, hospitals, and Indian Tribes) are required to comply with the provisions set forth under the Single Audit Act Amendments of 1996. The Act requires grant recipients expending \$300,000 or more in Federal funds in a fiscal year to perform a single audit.

Even though a single audit must be performed, grant recipients are also subject to audits by the FEMA Office of Inspector General and State auditors for items not covered by the Single Audit. Specific documentation and procedures are based on the requirements of the Federal Office of Management and Budget (OMB). The OMB requires grant recipients to maintain financial and program records for three (3) years following submittal of the final expenditure report.

An Audit will be conducted by the Department of Emergency and Military Affairs to determine compliance with 44CFR 206.200 206.228, in conjunction with the Arizona Administrative Code 8, Chapter 2, Article 3, R8-2-316 and the propriety and eligibility of the costs claimed by the applicant.

Applicants will be informed of audit requirements during the Applicants' Briefing. Any questions after the briefing regarding the Single Audit, or audits in general should be directed to the appropriate State official.

Funding/Reimbursement

The Public Assistance Program is a reimbursement program. All reimbursement funds (state and federal) flow through ADEM's Recovery Office directly to the eligible applicant. Once a project has been approved and costs have been expended in accordance with the program guidelines a request for reimbursement can be submitted. All work does not need to be 100% complete for a project before a reimbursement request can be submitted. Payments can be processed as work is completed. Final payment will be processed after the audit has been completed.

Closeout/Termination

Following audit completion and final payment, all applicants have the opportunity to appeal any decision by the auditor in accordance with the Arizona Revised Statute R8-2-320 (A), which states "Any party aggrieved by a decision rendered by the director may appeal the decision, in writing, not later than 15 days after receipt of notice of the director's decision."

If an appeal is not received, the applicant file is considered closed. Once all eligible response and recovery work pertaining to the emergency has been completed, audited and reimbursed for all eligible applicants, the declaration is terminated in accordance with A.R.S. § 26-303(F).

You can find additional information about this process by clicking on the **Disaster Recovery Guidebook** link. If you would prefer detailed information about the process, click on the **Public Assistance Standard Operating Procedure** link.